

DEPARTMENT OF HEALTH REHABILITATION SERVICES TRANSFER ACT 793 of 1977

A.C.A. § 24-3-214 as amended

DEFINITION

Employees of the Department of Human Services who are members of the Teacher Retirement System and have met the requirements of Section 3.02b of Act 793 of 1977 by making contributions to the System based on full salary since July 1, 1969, or since initial enrollment in membership of the Teacher Retirement System, if later than July 1, 1969, are eligible to elect coverage under the noncontributory benefit provisions of Act 793 of 1977, provided such election is made on or before June 30, 1991.

RULES

1. Employees of the Department of Human Services who have elected coverage under Act 793 will qualify for benefits under the Act 793 formula for all their years of credited service, including service as a member of the Teacher Retirement System.
2. The effective date of transfer of active membership from the Teacher Retirement System to the Public Employees Retirement System shall be January 1, 1978.
3. For employees who elect coverage under Act 793, the Teacher Retirement System will refund both employee and employer contributions based on service after January 1, 1978.
4. In computing its liability for benefits for employees of the Department of Human Services retiring under the provisions of Act 793, the Teacher Retirement System will allow one-half (1/2) year of credited service for the 1977-78 fiscal year (July 1, 1977 - December 31, 1977).
5. The Teacher Retirement System will be liable for funding of benefits for credited service established with the System prior to January 1, 1978. When a member of the Public Employees Retirement System who has credited service with the Teacher Retirement System retires from employment with the Department of Human Services under the provisions of Act 793, the Teacher Retirement System's liability for his benefits will be computed:

- A. By using the retiring member's final average salary at the time of retirement as defined by Act 793 and certified by the Public Employees Retirement System.
 - B. By using the Teacher Retirement System benefit provisions in effect January 1, 1978, to compute his monthly annuity guaranteed by Teacher Retirement.
 - C. On and after January 1, 1993, for benefit amounts based upon employment before January 1, 1978, Department of Workforce Education of Rehabilitation Services employees who are still active employees on January 1, 1993, shall have benefits computed in accordance with current benefit provisions in effect for the Teacher Retirement System at the time of their retirement.
- 6. Monthly benefits will be paid in the name of the retired member to the Public Employees Retirement System, except that on and after August 13, 1993, Arkansas Public Employees Retirement System shall certify monthly the total amount of benefits paid, and the Teacher Retirement System shall immediately transfer such amount from its benefit account to the proper account designated by the Arkansas Public Employees Retirement System.
 - 7. Employees of the Department of Human Services who have elected coverage under Act 793 are eligible to establish reciprocity between the Teacher Retirement System and the Public Employees Retirement System and repay a refund or establish prior service. (Attorney General's Opinion No. 84-154.)
 - 8. From July 1, 1991, until December 31, 1991, an active member of the Public Employees Retirement System who was an active member of the Teacher Retirement System prior to January 1, 1978, and who became a member of the Public Employees Retirement System within thirty (30) days of departure from the Teacher Retirement System may establish reciprocity between the two systems and purchase out-of-state service rendered prior to January 1, 1978, in accordance with the provisions and conditions contained in A.C.A. § 24-7-601 and A.C.A. § 24-7-603.